

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 10, 1998

OFFICE OF
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. Duane B. Jeffrey
C.E.O.
Radio Station WQSE
201 Hall Lane
White Bluff, TN 37187

Re: Request for Waiver or Reduction of
Regulatory Fee

Dear Mr. Jeffrey:

This is in response to your request for a waiver or reduction of the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station WQSE, White Bluff, Tennessee.

Your request is untimely. On August 1, 1997, the Commission issued a Public Notice, FY 1997 Mass Media Regulatory Fees, to all licensees, advising them of their Fiscal Year 1997 regulatory fee obligations. Licensees were notified that fee payments were to be received by the Commission by September 19, 1997; they were advised of their rights to request waivers, reductions and deferments of the regulatory fees; and that requests for deferment of the fees were also to be filed by September 19, 1997. The public notice notified licensees that the Commission would "invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations." The Commission in establishing the regulatory fee program said that it would "accept petitions for waiver, reduction and deferments [of the regulatory fees] so long as they are filed no later than the date payment is due." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5345 ¶ 34 (1994). On March 6, 1998, Radio Station WQSE was advised by letter that the Commission had no record for the payment of its FY 1997 regulatory fee, and that the licensee was to either submit payment or proof of payment within 20 days.

While the Commission will consider timely filed waiver requests, a review of the Commission's records indicates that you have made no attempt to show why you could not have filed WQSE's waiver request in a timely manner. Your failure to comply with the Commission's filing rules, has added to the Commission's regulatory burden and you have not made a compelling showing of why the Commission should consider your untimely waiver request. Thus, your request for waiver of the FY 1997 regulatory fees is dismissed.

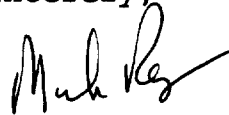
Mr. Duane B. Jeffrey

2.

Payment of the FY 1997 regulatory fee of \$1,600 for Radio Station WQSE is now due. The \$1,600 fee should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in the imposition of a 25% late payment penalty, and the initiating of a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Reger", with a stylized flourish at the end.

Mark Reger
Chief Financial Officer

Enclosure

Jerry

000000 BCB-98-054

RECEIVED

WAIVER

MAR 27 3 36 PM '98

FCC
FEES SECTION

WQSE AM 1030
White Bluff, TN

Dear Sirs,

In response to your letter of March 6th. We request a wavier of fee or at least a reduction due to financial hardship. We are in a very small town of around 5,000 folks it takes all we bring in just to stay on the air. I don't know how we can pay this fee each year. WDKN in Dickson which is much larger than White Bluff only pay \$1000.00.

Thanks for your consideration.

Duane B. Jeffrey
C.E.O. WQSE
201 hall Lane
White Bluff, TN 37187

no fee to request



Federal Communications Commission
Washington, D.C. 20554

March 6, 1998

Dear Licensee:

This letter is in reference to the annual payment of your 1997 regulatory fee(s) which were due to the Federal Communications Commission (FCC) on September 19, 1997.

The FCC is currently verifying its FY '97 regulatory fee collections to identify those regulatees who have not paid. That process includes, but is not limited to, database verification, hard copy documentation research, review of fee-exempt certifications, and review of waivers requested and fee decisions issued.

After a close examination of our records, we have determined that there is no record of payment of your regulatory fee(s) for the following stations:

WQSE	White Bluff, TN	\$1,600
------	-----------------	---------

We request that payment in full be remitted with the enclosed Form 159 to Federal Communications Commission, P.O. Box 358835, Pittsburgh, PA 15251-5835, according to the payment instructions, within twenty days of the date of this letter. You should also review your records to ensure that payments have been made for auxiliary stations associated with this call sign, for any other call signs assigned to you or for any prior fiscal years for which payments may be due. You should submit all payments that may be due.

If payment has been made, please provide a complete copy of your submission including proof of payment. If you believe you are not obligated to pay under the Commission's rules, please submit complete documentation supporting your position within twenty days of the date of this letter. These documents should be sent to:

Chief, Fee Section
Federal Communications Commission
1919 M Street, N.W. - Room 452
Washington, DC 20554

If I may be of any further assistance, you may call me at 202/418-1995

Claudette Pride
Chief, FCC Fee Section

Enclosures



Federal Communications Commission
Washington, D.C. 20554

March 6, 1998

Dear Licensee:

This letter is in reference to the annual payment of your 1997 regulatory fee(s) which were due to the Federal Communications Commission (FCC) on September 19, 1997.

The FCC is currently verifying its FY '97 regulatory fee collections to identify those regulatees who have not paid. That process includes, but is not limited to, database verification, hard copy documentation research, review of fee-exempt certifications, and review of waivers requested and fee decisions issued.

After a close examination of our records, we have determined that there is no record of payment of your regulatory fee(s) for the following stations:

WQSE	White Bluff, TN	\$1,600
------	-----------------	---------

We request that payment in full be remitted with the enclosed Form 159 to Federal Communications Commission, P.O. Box 358835, Pittsburgh, PA 15251-5835, according to the payment instructions, within twenty days of the date of this letter. You should also review your records to ensure that payments have been made for auxiliary stations associated with this call sign, for any other call signs assigned to you or for any prior fiscal years for which payments may be due. You should submit all payments that may be due.

If payment has been made, please provide a complete copy of your submission including proof of payment. If you believe you are not obligated to pay under the Commission's rules, please submit complete documentation supporting your position within twenty days of the date of this letter. These documents should be sent to:

Chief, Fee Section
Federal Communications Commission
1919 M Street, N.W. - Room 452
Washington, DC 20554

If I may be of any further assistance, you may call me at 202/418-1995

Claudette Pride
Chief, FCC Fee Section

Enclosures

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 6, 1998

OFFICE OF
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. Brian Barrabee
Owner
Radio Station WSER
192 Maloney Road
Elkton, MD 21921

Re: Request for Waiver of FY 1997
Regulatory Fee and Late Payment
Penalty for Radio Station WSER

Dear Mr. Barrabee:

This is in response to your request for a waiver of the Fiscal Year (FY) 1997 regulatory fee and the 25% late payment penalty for Radio Station WSER. You note that the Commission granted a prior request to defer payment of the regulatory fee, and that payment of the fee would be a hardship for your station.

The waiver request is untimely. On August 1, 1997, the Commission issued a Public Notice, FY 1997 Mass Media Regulatory Fees, to all licensees, advising them of their Fiscal Year 1997 regulatory fee obligations. Licensees were notified that fee payments were to be received by the Commission by September 19, 1997; they were advised of their rights to request waivers, reductions and deferments of the regulatory fees; and that requests for deferment of the fees were also to be filed by September 19, 1997. The public notice notified licensees that the Commission would "invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations." The Commission in establishing the regulatory fee program said that it would "accept petitions for waiver, reduction and deferments [of the regulatory fees] so long as they are filed no later than the date payment is due." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5345 ¶ 34 (1994).

In response to the Public Notice, you requested a 90 day deferment of the regulatory fee payment. In a letter dated January 23, 1998, your request for a deferment was granted. The letter further noted, however, that the deferment period had passed and that payment of the fee was due. You were also cautioned that the failure to submit payment as required, could result in the imposition of a 25% late payment penalty, and the initiating of a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act. Radio Station WSER did not respond to the January 23 letter.

Mr. Brian Barrabee

2.

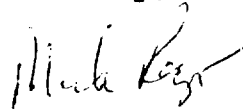
On March 6, 1998, Radio Station WSER was advised by letter that the Commission had no record for the payment of its FY 1997 regulatory fee for Station WSER, and that the licensee was to either submit payment or proof of payment within 20 days. There is no record of a response to the March 6, 1998 letter. It was only after the Commission advised you in a further letter dated April 21, 1998 that payment of the fee and penalty were due, that you requested a waiver of the fee and penalty.

While the Commission will consider timely filed waiver requests, a review of the Commission's records indicates that you have made no attempt to show why you could not have filed Radio Station WSER's waiver request in a timely manner. Your failure to comply with the Commission's filing rules, has added to the Commission's regulatory burden and you have not made a compelling showing of why the Commission should consider your untimely waiver request. Thus, your request for waiver of the FY 1997 regulatory fees is dismissed.

Payment of the FY 1997 regulatory fee of \$1,000 for Radio Station WSER, and the \$250 late payment penalty is now due. The \$1,250 fee and penalty should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in the initiating of a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,



Mark Reger
Chief Financial Officer

Enclosure

NEWSRADIO TALKRADIO

WSER



Jerry

000000 BCB - 98-045

AM 1550 • 1000 WATTS DIRECTIONAL • CECIL COUNTY'S LOCAL NEWS & SPORTS STATION SINCE 1963

May 6, 1998

Federal Communications Commission
1919 M Street Room 856
Washington, D.C. 20554
Attn: Managing Director

RECEIVED

MAY 11 8 34 AM '98

ASSOCIATE OPERATIONS
FINANCIAL OPERATIONS
(AND-FO)

Re: Request for waiver of 1997
Regulatory Fee.

Dear Sir:

In September of 1997, WSER - AM requested a deferment of it's 1997 Regularoty Fee due in large part to the death of the spouse of our manager/engineer. This request was granted (see letter from you 1/23/98). Since then the fee (\$1,000) and a penalty (\$250) has been deemed due and payable to The Commission.

I would like to respectfully request that The Commission waive the 1997 fee and penalty assessment on WSER for the following reasons:

1. Like most small stand-alone daytime AM stations, WSER has experienced a steady and seemingly uncorrectable decline in billing over the past several years. The station had remained marginally viable due to the institution of staff reductions , automation and Mr. Crouch's efforts as the station's manager, engineer and principal salesperson. The dramatic changes in Mr. Crouch's life (he has 4 children) have greatly impacted his ability to keep WSER viable. Consquently, the station has experienced a steady decline in income and profitability since the death of wife in September of 1997.
2. Enclosed is a copy of our 1997 Corporate Income Tax return. While the gross billing figure of \$118,330 may seem ample for a small well run station, the figure is misleading. WSER has yet to experience a month with gross billing over \$10,000 since Mr. Crouch's tragedy. The fourth calendar quarter of 1997 which should have been our most profitable, was in fact our weakest quarter of the year with less than \$25,000 total gross billing for the quarter. The first calendar quarter of 1998 has been the worse since my purchase of the station nearly 11 years ago. Gross billing was barely \$20,000. WSER simply cannot afford a fee and penalty which, at this juncture, amounts to almost 1 weeks total billing.
3. Despite it's financial problems, WSER has continued to operate in the public interest to serve it's coverage area. We are the only commercial broadcaster in Cecil Co. Maryland. In 1997 we purchased and installed an advanced EAS system and have worked closely with local officals to insure it's function and viability. The station continues to be actively involved in the local community as a major participant and promoter of local non-profit causes. A partial list of these include : Cecil County Special Olympics, Boy Scouts , Maryland Job Service, Cecil Co. SPCA, 4-H, Farm Bureau and many others. So far in 1998 WSER has won 3 awards for it's service from both state and local agencies.

4. A rapid growth in market competition on many fronts. The local paper has recently instituted what amounts to a sponsor supported "Radio On-Demand" service which operates via telephone. The recent sale of the advertising division of the local cable company has resulted in intense competition from that medium. Station consolidations in the Wilmington, DE. Market have resulted in a rate war, forcing spot rates for WSER to unprecedented lows.

It is my hope to eventually recruit and hire additional sales staff in the near future to hopefully return the station to financial viability. In the mean time, we will continue to operate in the public interest to serve our coverage area. I respectfully ask The Commission to waive the 1997 Regulatory Fee.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian M. Barrabee".

Brian M. Barrabee, Pres.
Radio Station WSER - AM Elkton, Md.

Enclosures

CC: Claudette Perry FCC- Rm # 450

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

APR 21 1998

OFFICE OF
MANAGING DIRECTOR

FIRST PHILADELPHIA PROPERTIES, INC.
WSER AM
102 MALONEY ROAD
ELKTON, MD 21921

Dear Gentlemen:

This letter is in reference to the 1997 regulatory fee(s) for which payments were due to the Federal Communications Commission (FCC) on September 19, 1997. You were advised by letter dated March 6, 1998, that an examination of the FCC's records indicated that there was no record of payment of the regulatory fee(s) for the following station(s).

WSER

Elkton, MD

You were requested to either submit payment, or in the alternative, to submit proof of payment or documentation establishing that you are exempt from the regulatory fee requirement.

Payment of the \$1000 1997 regulatory fee, and the 25% late payment penalty assessed under 47 C.F.R. § 1.1164, are now due. Payment in full of \$1250 should be remitted with the enclosed Form 159 to the Federal Communications Commission, P.O. Box 358835, Pittsburgh, PA 15251-5835, pursuant to instructions on the Form 159. You should also review your records to ensure that payments are made for auxiliary stations associated with the referenced call sign, for any other call signs assigned to you, or for any prior fiscal years for which payments are due. You should submit all payments, together with the 25% late payment penalties, within 30 days from the date of this letter.

You are cautioned that failure to pay the regulatory fees and penalties as described above may subject you to revocation of any existing instrument of authorization, and result in the imposition of further sanctions under 47 C.F.R. § 1.1164. If you have any questions concerning the fees, you may call me at (202) 418-1995.

Sincerely,



Regina W. Dorsey, Chief
Billings & Collections Branch

Enclosure

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JUL 16 1998

OFFICE OF
MANAGING DIRECTOR

Mr. Thomas W. Kluckhohn
President
Radio Station WSPQ
51 Franklin Street
Springville, NY 14141

RECEIVED
OCT - 8 1998
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Request for Waiver of Regulatory Fee

Dear Mr. Kluckhohn:

This is in response to your March 23, 1998, request for a waiver of the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station WSPQ, Springville, New York.

The waiver request is untimely. On August 1, 1997, the Commission issued a Public Notice, FY 1997 Mass Media Regulatory Fees, to all licensees, advising them of their Fiscal Year 1997 regulatory fee obligations. Licensees were notified that fee payments were to be received by the Commission by September 19, 1997; they were advised of their rights to request waiver, reductions and deferments of the regulatory fees; and that requests for deferment of the fees were also to be filed by September 19, 1997. The public notice notified licensees that the Commission would "invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations." The Commission in establishing the regulatory fee program said that it would "accept petitions for waiver, reduction and deferments [of the regulatory fees] so long as they are filed no later than the date payment is due." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5345 ¶ 34 (1994). WSPQ was subsequently advised by letter that the Commission had no record for the payment of its FY 1997 regulatory fee for Station WSPQ, and that the licensee was to either submit payment or proof of payment within 20 days.

While the Commission will consider timely filed waiver requests, a review of the Commission's records indicates that you have made no attempt to show why you could not have filed WSPQ's waiver request in a timely manner. Your failure to comply with the Commission's filing rules, has added to the Commission's regulatory burden, and you have not made a compelling showing that the Commission should consider your untimely waiver request. Thus, your request for waiver and deferral of the FY 1997 regulatory fees is dismissed.

Mr. Thomas W. Kluckhohn

2.

Payment of the FY 1997 regulatory fee of \$1,600 for Radio Station WSPQ is now due. The \$1,600 fee should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in the imposition of a 25% late payment penalty, and the initiating of a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act.

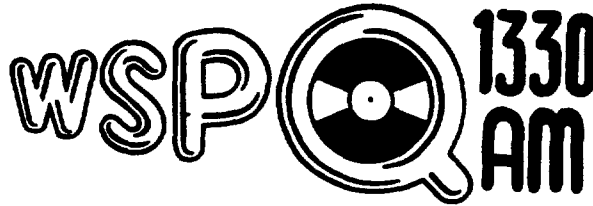
If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,


Thomas M. Holleran
Acting Associate Managing
Director - Financial Operations

Enclosure

000000 BCB-78-451



RECEIVED

Apr 13 9 15 AM '98

FCC
FEES SECTION

March 23, 1998

Claudette Pride
Chief, Fee Section
Federal Communications Commission
1919 M St., N.W. - Room 452
Washington, DC 20554

Dear Ms. Pride:

I have recently received your letter in reference to WSPQ's 1997 regulatory fee, which remains unpaid. The main reason this fee is unpaid is that we cannot afford to pay such a high fee! Our station is a 1,000 watt AM station located in a rural section of southern Erie County, bordering Cattaraugus County, in Western New York State. Our potential audience is, at the very most, 100,000 people and with substantial competition from large radio stations in the Buffalo area, our advertising base is limited! We carry virtually all localized programming, concentrating on a corridor which includes the Villages of Springville; Gowanda; and Arcade (Wyoming County), NY. We operate on a "shoestring" budget and, according to the information supplied to us by the FCC, we are grouped in the same category as much larger radio stations in Erie County and our assessment is comparable to theirs. Over the past few years, Hawk Communications has posted total losses of over \$100,000.00 in operating WSPQ. We are struggling to hang on in a difficult area but we do believe we are important to our market and are convinced we can make a go of it. We cannot, however, afford to pay \$1600.00 to the FCC every year and still survive! We are asking for a waiver from your regulatory fees based on our physical and financial constraints. Thank you for your consideration!

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Kluckhohn".

Thomas W. Kluckhohn
President

51 FRANKLIN STREET, SPRINGVILLE, NY 14141
(716) 582-9500 • FAX: (716) 582-9522

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

16 1998

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Camille Hansen, Esquire
Wilkinson, Barker, Knauer & Quinn, LLP
2300 N Street, N.W.
Washington, D.C. 20037-1128

Re: Request for Deferment and Waiver of
Regulatory Fee
Television Station KTNL

Dear Ms. Hansen

This is in response to the request for a waiver of the Fiscal Year (FY) 1997 regulatory fee that you filed on behalf of Wright Home, Inc. (Wright) licensee of VHF Television Station KTNL, Sitka, Alaska.

You assert that Wright is a newly formed corporation that acquired KTNL in September 1996. In support of your request for a waiver of the FY 1997 fee, you submitted Wright's Profit and Loss Statement for the period ending December 31, 1996.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted in part, FCC 95-257, released July 22, 1995.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

Wright acquired KTNL in September 1996. While its Profit and Loss Statement dated December 31, 1996, indicated a loss of over \$19,000, it also established that Wright suffered a financial loss only because it claimed \$25,481 in depreciation and \$13,953 in amortization. These deductions represent money which is considered to be available to pay the regulatory fee. Under these circumstances Wright has not established a compelling case of financial hardship and the request for a waiver of the regulatory fee is denied.

Camille Hansen, Esquire

2.

Sitka is not located in a Nielsen Market. Thus, it is subject to the regulatory fee for a remaining market VHF Television Station. Wright Home, Inc.'s FY 1997 regulatory fee of \$2,725 is now due. Wright Home, Inc. should submit the \$2,725 fee together with a completed FCC Form 159 (copy enclosed) within 30 days from the date of this letter.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,



Thomas M. Holleran
Acting Associate Managing
Director - Financial Operations

Enclosure

0000003 CB - 98 - 012

RECEIVED

ORIGINAL

WILKINSON, BARKER, KNAUER & QUINN, LLP

Washington, DC
Frankfurt, Germany

2300 N Street, NW
Washington, DC 20037-1128

telephone: 202.783.4141
facsimile: 202.783.5851

FOC
FEEB SECTION

September 19, 1997

RECEIVED

SEP 19 1997

BY HAND DELIVERY

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Wright Home, Inc. — KTNL(TV), Sitka, Alaska
Request for Waiver and Deferment of Regulatory Fee ✓

Dear Mr. Caton:

On behalf of Wright Home, Inc., licensee of KTNL(TV), Sitka, Alaska, we hereby submit the attached letter request for waiver and deferment of the regulatory fee for 1997. Given the financial hardship which payment of the fee would cause to KTNL and its service to its community at this time, and pursuant to a recent telephone conversation with Jerry Remson of the Office of the General Counsel, no regulatory fee is being filed simultaneously with this request.

As indicated in the attached letter, Wright Home Inc. is a newly formed corporation that acquired KTNL in September 1996. Please note that the Commission has granted regulatory fee waiver requests on financial hardship grounds for the previous licensee of KTNL each year in the past.

It is respectfully requested that you stamp the receive date on the enclosed copy marked "Stamp and Return" and return it to us in the enclosed envelope. Should you have any questions concerning this submission, please contact the undersigned.

Sincerely,

WILKINSON, BARKER, KNAUER & QUINN, LLP

Camille Hansen

By: Camille Hansen

Enclosures

RECEIVED

SEP 19 1997

Wright Home, Inc.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 16, 1997

Office of
Managing Director
Federal Communications Commission
Washington, D. C. 20554

Dear Director:

This letter serves as a request for the waiver of the Fiscal Year (FY) 1997 regulatory fee. I am writing on behalf of Wright Home, Inc., licensee of VHF Television Station KTNL in Sitka, Alaska.

The company, Wright Home, Inc. (WHI), is a newly formed corporation and is in the early stages of growth both fiscally and physically. WHI's mission for KTNL is to provide the small community of Sitka with a full-service local television presence on an isolated island in Southeast Alaska; through public service opportunities, children's programming, news and information services. KTNL is looked upon by the community as the only significant source for broadcast television in an area of approximately 8,500 people.

Some of the services provided by KTNL are sponsor supported, but because of recent trends in downsizing of the timber industry, a major sector of Sitka's economy, many businesses have reduced their advertising budgets. Therefore, to serve the public interest, WHI continues to operate at a loss, until the economy of this DMA improves.

In support of this request for waiver of the fee, I have attached a Profit and Loss statement prepared by WHI's accountant. You will note the regulated fee represents a considerable amount of our annual gross, and would impose financial hardship on this licensee, which could result in the reduction of service to the community.

For these reasons we would also ask that the commission accept this letter as a petition to defer payment of the regulatory fee pending the outcome of this waiver request.

If I can provide any further support materials please write or telephone at your convenience.

Sincerely,



William G. Wright, President
P.O.Box 1309 Sitka, AK 99835
(907) 747-6002

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

July 9, 1998

RECEIVED

OCT - 8 1998

OFFICE OF
MANAGING DIRECTOR

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. June Harris
Owner
Radio Station WRKN
P.O. Box 145
Brandon, MS 39043

Re: Request for Review of Regulatory Fee

Dear Ms. Harris:

This is in response to your request that the Commission review the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station WRKN, Brandon, Mississippi. You argue that your station operates daytime with 1,000 watts, and that it does not serve Jackson, Mississippi, a neighboring city.

Congress established the total amount of fees that we are to collect for all services for FY 1997 and our fee schedule is formulated to spread the burden of the total fee requirement equitably among the various categories of fee payers, including broadcast licensees. The FY 1997 regulatory fees for all AM stations, including WRKN, were derived by calculating the populations within the 0.5 mV/m contour of each individual station, which is their daytime protected service contour, and laying the contour over a census population map. The 0.5 mV/m contour encompasses areas outside WRKN's "core" service area. As a matter of equity, recalculation of a station's service area using a different contour for measuring population would require the recalculation of service areas, populations, and fees, at a minimum, for all radio broadcast stations, in order to insure the Commission's ability to collect the required amount in fees.

We recognize that some broadcasters believe that the city grade contour which each licensee is required to place over its community of license may be a better reflection of the "core" population served by that station, and we have decided to use the city grade contour to calculate FY 1998 radio regulatory fees. However, the 0.5 mV/m contour is appropriate for calculating the FY 1997 regulatory fees because that contour represents the area in which listeners receive WRKN's protected signal. Thus, the Commission will not reduce, on an ad hoc basis, WRKN's regulatory fee solely because the population within its 0.5 mV/m signal contour is larger than the population within its "core" service area.


Ms. June Harris

2

Payment of the FY 1997 regulatory fee of \$1,000 Class D AM Station WRKN is now due. The \$1,000 fee should be filed together with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,



Thomas M. Holleran
Acting Associate Managing
Director - Financial Operations

Enclosure

000000BCB-98-006

FCC MELLON

SEP 22 1997

97.7
F. M. STEREO

Gospel 97

WRTH

P. O. BOX 145
BRANDON, MISS. 39043
825-5045



September 15, 1997

Federal Communications Commission
Regulatory Fees
P.O. Box 358835
Pittsburgh, PA 15251-5835

IN RE: WRKN (AM) Brandon, MS
Regulatory Fees

Gentlemen:

The regulatory fee assessed to WRKN (AM) is stated to be \$1,000 for coverage of 443,000 persons.

Our station is a daytime directional, 1,000 watts. We do not cover Jackson, a neighboring city. This station was built in the late 1960's, when suburban stations were not permitted to cover adjacent metro areas....in fact, this is why the station was made directional in the first place.

We feel this assessment, therefore, is in error, and request the commission review this fee.

Sincerely,

June Harris

June Harris, owner - *President*
Radio Station WRKN

JH/bi

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 31, 1998

OFFICE OF
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dennis F. Begley, Esquire
Reddy, Begley & McCormick
2175 K Street, N.W.
Suite 350
Washington, D.C. 20037-1803

Re: Request for Waiver of Regulatory Fee
Radio Station WASN, Campbell, Ohio

Dear Mr. Begley:

This is in response to your request for a waiver of the Fiscal Year (FY) 1997 regulatory fee for AM Radio Station WASN, Campbell, Ohio, licensed to WVRB, Inc. You maintain that WASN was dark and not operating. The Commission's records indicate WASN had been dark and that it resumed broadcasting on April 1, 1998.

In Implementation of Section 9 of the Communications Act, FCC 95-257, ¶ 15, released June 22, 1995, the Commission determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it would therefore, waive the fee requirement for stations which have ceased operation.

Thus, because WASN was dark when the fee was due, your request is granted, and the FY 1997 regulatory for WVRB, Inc. is waived. However, because Radio Station WASN has resumed operation, the waiver is limited to the FY 1997 regulatory fee.

If you have any questions concerning the waiver, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

000000BCB-

98-028

BEFORE THE

ORIGINAL RECEIVED

SEP 18 1997

Federal Communications Commission

WASHINGTON, D. C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Regulatory Fees for the 1997)
Fiscal Year)

To: The Managing Director

**PETITION FOR DEFERRAL OF PAYMENT AND
WAIVER OF 1997 REGULATORY FEE**

1. WVRB, Inc., licensee of Station WASN, Campbell, Ohio, hereby petitions for deferral of payment and waiver of the 1997 FY Regulatory Fee for Station WASN. WASN is an AM station, for which the regulatory fee amount is \$400.00.


2. A waiver is requested because WASN is currently silent (not operating). Due to financial problems the licensee was forced to cease operation. It is presently authorized to remain silent and is exploring alternative programming formats as a means to return to the station to the air as soon as possible. As a result, WVRB, Inc. has had no income from the station. Payment of the fee at this time would further hinder the licensee's efforts to return the station to the air at an early date.

3. Because the station is not operating, there is no income stream from which the regulatory fee can be paid. In its **Memorandum Opinion and Order** (MD Docket No. 94-

19), FCC 95-257, released June 22, 1995, at pp. 6-7 (¶ 15), the Commission stated that it "will grant petitions for waivers of the regulatory fee on grounds of financial hardship from licensees of broadcast stations which are dark (not operating). When a station is dark, it generally is either without or with greatly reduced revenues." Thus "it is unnecessary for a licensee to make a further showing of financial hardship." Id.

4. In light of the above, a waiver of the regulatory fee due September 19, 1997, is hereby requested.

WVRB, Inc.

By: 
DENNIS F. BEGLEY

Its Counsel

Reddy, Begley & McCormick
2175 K Street, N.W., Suite 350
Washington, D.C. 20037-1803

September 18, 1997

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

July 6, 1998

OFFICE OF
MANAGING DIRECTOR

RECEIVED

OCT - 8 1998

Mr. Larry Harp
Owner
WWSJ
P.O. Box 451
St. Johns, MI 48879

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Request for Waiver of Regulatory Fee

Dear Mr. Harp:

This is in response to your request for a waiver of the Fiscal Year (FY) 1997 Regulatory Fee for AM Radio Station WWSJ, St. Johns, Michigan. You assert that the station has been losing money and cannot afford the regulatory fee.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship. Therefore, your request for waiver of the regulatory fees is dismissed. WWSJ's FY 1997 regulatory fee of \$1,000 is now due.


Mr. Larry Harp

2.

Payment of the \$1,000 regulatory fee for AM Radio Station WWSJ should be submitted with a completed FCC Form 159 (copy enclosed) within 30 days from the date of this letter. However, in view of your allegation that the payment of the regulatory fee could create a financial hardship for Radio Station WWSJ, in lieu of paying the fee, you may file a further request for deferment and waiver of the regulatory fee supported by appropriate documentation within 30 days from the date of this letter.

If you have any questions concerning the regulatory fees, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,


Thomas M. Holleran
Acting Associate Managing
Director - Financial Operations

Enclosure

Leary
WWSJ
1580 AM

000000B0B-98-003

PO Box 451 • St. Johns, MI 48879 • (517) 224-7911

SEP 19 1997

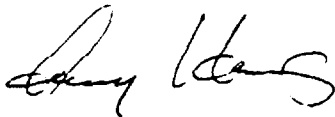
September 4, 1997

Federal Communications Commission
Regulatory Fees
P.O. Box 358835
Pittsburgh, PA. 15251-5835

To Whom it May Concern,

This Letter is a request for a waiver of the regulatory fee assessed to our station 1580 AM WWSJ. Our station was purchased while in foreclosure on January 3, 1997. The format has been recently changed to Urban Gospel in hopes of turning the station around financially. The station has been operating in the red for over (7) seven months (loosing approximately \$3,000 per month) with no expected turn around until the fourth quarter of 1998. The \$1,000 fee places an additional financial hardship on the station which could possibly further endanger WWSJ from remaining on the air. We are not able to send the fee at this time, however as soon as the station is stable and turning a profit, we will be more than happy to pay this assessment. As we know, all things work together for the good of them that love the Lord and are called according to his purpose. We know that this station is a call to spread the gospel, and with his grace and mercy, it cannot fail. Please be patient and if you have any questions or need additional information, please don't hesitate to contact our office.

Yours In Christ,



Larry & Helen Harp
Owners WWSJ

Working Winning Souls for Jesus

St. John 12:32

